(81)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 4026 of 2007

PETITIONERS : 1. Shankar Lal Aneshwari Aged about 39 years, Assistant Teacher, S/o Shri Basant Lal Aneshwari Govt. School, Mandir Hasoud, Distt. – Raipur (C.G.)

2. Rakesh Kumar Thakur Age about 38 years, Assistant Teacher, S/o Shri Vijay Singh Thakur Govt. School, Distt. – Raipur (C.G.)
3. Shiv Kumar Gayakwad Age about 37 years, Assistant Teacher, S/o Shri Chhannu Lal Gayakwad Govt. Primary School, Chhatauna, Block – Arang, Distt. – Raipur (C.G.)
4. Smt. Dhan Bai Gilhare Age about 50 years, Assistant Teacher, W/o Shri Jawahar Lal Gilhare Govt. School, Mandir Hasoud, Distt. – Raipur (C.G.)
5. Agyaram Thakur Aged about 36 years, Assistant Teacher, S/o Shri Baharu Ram Thakur Govt. Primary School, Chaprid, Block – Arang, Distt. – Raipur (C.G.)
6. Smt. Sant Kurre Age about 40 years, Assistant Teacher, W/o Shri Harishankar Kurre Govt. Primary School Nara, Block – Arang, Distt. – Raipur (C.G.)
7. Krishna Kumar Kurre Age about 39 years, Assistant Teacher, S/o Shri Shyam Lal Kurre Govt. Primary School, Nara, Block – Arang, Distt. – Raipur (C.G.)
8. Junas Bada Age about 38 years, Assistant Teacher, S/o Shri Patras Bada Govt. Primary School, Chorahadih, Block – Arang, Distt. – Raipur (C.G.)
9. Basant Kumar Kosariya Age about 50 years, Assistant Teacher, S/o Shri Chhattar Singh Govt. Primary School Barachha, Distt. – Raipur (C.G.)
10. Laxman Ram Verma Age about 40 years, Assistant Teacher, S/o Shri Uday Ram Verma, Govt. Primary School, Kurud, Block – Arang, Distt. – Raipur (C.G.)
11. Ku. Dorthi Tandi Age about 39 years, Assistant Teacher, D/o Shri Alfred Tandi Govt. Primary School, Bhilai, Block – Arang, Distt. – Raipur (C.G.)
12. Smt. Premvati Singh Age about 45 years, Assistant Teacher, W/o Shri Narendra Singh Govt. Primary Girls School, Mandir Hasoud, Distt. – Raipur (C.G.)

(82)

13. Santosh Kumar Dewangan Age about 39 years, Assistant Teacher, S/o Shri Mohan Lal Dewangan R/o: Village – Rakhi, Mana Camp, Distt. – Raipur (C.G.)
14. Ram Pratap Bramhe Age about 40 years, Assistant Teacher, S/o Shri Motiram Bramhe Govt. Primary School, Amsena, Block – Arang, Distt. – Raipur (C.G.)
15. Smt. Saroj Chandrakar Age about 52 years, Assistant Teacher, W/o Shri Sant Kumar Chandrakar Govt. Boys Primary School, Mandir Hasoud, Distt. – Raipur (C.G.)
16. Hulas Ram Sahu Age about 41 years, Assistant Teacher, S/o Shri Prem Lal Sahu Govt. Primary School, Chandkhuri, Block – Arang, Distt. – Raipur (C.G.)
17. Smt. Keshar Bande Age about 38 years, Assistant Teacher, W/o Shri Keshav Ram Bande Govt. Primary School, Bhansoj, Block – Arang, Distt. – Raipur (C.G.)
18. Parth Ram Verma Age about 40 years, Assistant Teacher, S/o Shri B.R.Verma, Govt. Middle School, Chandkhuri Form, Block – Arang, Distt. – Raipur (C.G.)
19. Narsingh Banjary Age about 40 years, Assistant Teacher, S/o Shri Budhram Banjary Govt. Primary School, Kosrangi, Block – Arang, Distt. – Raipur (C.G.)
20. Buddheshwar Prasad Chelak Age about 42 years, Assistant Teacher, S/o Late Shri Keju Ram Chelak Govt. Primary School, Parsada, Semariya, Block – Arang, Distt. – Raipur (C.G.)
21. Hemlal Verma Age about 42 years, Assistant Teacher, S/o Shri Ram Ratan Verma Govt. Primary School, Ameri Block – Arang, Distt. – Raipur (C.G.)
22. Bharat Lal Diwan Age about 35 years, Assistant Teacher, S/o Shri Keju Ram Diwan, Govt. Girls Hr. Sec. School, Arang, Block – Arang, Distt. – Raipur (C.G.)
23. Smt. Amar Bai Ratre Age about 44 years, Assistant Teacher, W/o Shri Jeewan Lal Ratre Govt. Primary School, Bhansoj, Block – Arang, Distt. – Raipur (C.G.)
24. Ku. Anjali Barmal Age about 32 years, Assistant Teacher, D/o Shri R.L.Barmal A.R.B. Hr. Sec. School, Chandkhuri, Block – Arang, Distt. – Raipur (C.G.)
25. Smt. Usha Chandrasen Age about 41 years, Assistant Teacher, W/o Shri Jagatpal

(83)

Chandrasen, Govt. Girls Middle School, Telibandha, Block – Arang, Distt. – Raipur (C.G.)

26. Uttam Das Jogi Age about 39 years, Assistant Teacher, S/o Shri Dukhalaha Ram Jogi Govt. School, Mandir Hasoud, Distt. – Raipur (C.G.)

VERSUS

RESPONDENTS : 1. State Government of Chhattisgarh Through: - Secretary, Education & Tribal Department, D.K.S. Bhawan, Raipur (C.G.)

2. District Education Officer Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Somkant Verma, Advocate for the petitioners.
Shri Sumesh Bajaj, Govt. Advocate for the State/respondents.

ORDER

(Passed on 11th day of July, 2007)

1. The case of the petitioners is that they were appointed as Assistant Teacher on a fixed pay scale of Rs. 300/- and subsequently, they were granted regular pay scale.

2. The question of law involved herein is asto whether the petitioners are entitled to regular pay scale w.e.f the date of initial appointment or from the date of completion of probation period.

3. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are the same as to that of in W.P.(S) No. 5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh & Others)**, which was allowed vide order dated 7.11.2006.

4. In view of the above-stated submissions made by learned counsel for the parties, the writ petition is allowed in the same terms, subject to verification of the facts. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur